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10 Attorneys for Bennett Goldberg and Linda Kuckuk, in their joint capacities as intestate
11 successors in interest to Aaryn Goldberg, individuals, on behalf of themselves and all others
similarly situated

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

16 BENNETT GOLDBERG, et al.,

Case No. 4:16-cv-02613-JSW

17 Plaintiffs

**PLAINTIFFS' SUBMISSION RE
DEFENDANT'S MOTION TO DISMISS**

19 STEPHENS INSTITUTE, a California
corporation.

Date: August 26, 2016

Date: August 2
Time: 9:00 a.m.

Time: 9:00 a.m.
Judge: Hon. Jeffrey S. White

21 Defendant

1 Plaintiffs submit this document in recognition that a response to the defendant's
2 motion to dismiss (Dkt 21) is due today, July 25, 2016.

3 On July 19, 2016, the parties jointly submitted a Stipulation and [Proposed] Order
4 Continuing Hearing Date and Extending Time to Respond to Motion to Dismiss (Dkt 22),
5 which would have moved the date for our response to August 8, 2016. But the Court has
6 not acted on the stipulation yet.

7 Plaintiffs intend to file an amended complaint and, therefore, do not intend to file
8 a substantive response to the defendant's motion to dismiss. If the Court does not act on
9 the stipulation, the amended complaint will be due on August 1, 2016, if the Court
10 accepts the stipulation, the amended complaint will be due on August 8, 2016.

11 Dated: July 25, 2016

By: /s/ William McGrane

William McGrane

William McGlone
Attorneys for Bennett Goldberg and Linda Kuckuk, in
their joint capacities as intestate successors in interest
to Aaryn Goldberg, individuals, on behalf of
themselves and all others similarly situated